

## STATE OF LOUISIANA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

## IN THE MATTER OF:

SOUTHEASTERN LOUISIANA WATER  
& SEWER CO., L.L.C.

AI # 19917, 43290, 43295, 19919, 40850,  
41028, 19923, 43285, 19921, 43293, 88011,  
94173, 43292, 39941, 92469, 104964, 43283,  
43284, 38224, 43291, 43279, 43289, 122025,  
88008, 107269, 90859, 39941, 43288, 91709,  
40849, 91713, 19918, 43287, 38142, 97283,  
89005, 105813, 115982, 115894, 119112,  
91147, 94232, 115889, 118794

PROCEEDINGS UNDER THE LOUISIANA  
ENVIRONMENTAL QUALITY ACT  
LA. R.S. 30:2001, ET SEQ.

## \* Settlement Tracking No.

\* SA-WE-06-0053

\*

## \* Enforcement Tracking No.

\* WE-CN-01-0577 WE-CN-03-0378

\* WE-CN-03-0110 WE-CN-03-0029

\* WE-CN-03-0067 WE-CN-03-0105

\* WE-CN-02-0523 WE-CN-03-0106

\* WE-CN-03-0003 WE-CN-03-0107

\* WE-CN-03-0069 WE-CN-03-0040

\* WE-CN-03-0060 WE-CN-01-0200A

\* WE-CN-03-0380 WE-CN-03-0040A

\* WE-CN-03-0061 WE-CN-01-0200B

\* WE-CN-01-0200 WE-CN-05-0096

\* WE-CN-03-0376 WE-C-05-0534

\* WE-CN-03-0379 WE-CN-05-0119

\* WE-CN-03-0082 WE-CN-03-0056

\* WE-CN-02-0155 SE-C-03-0271

\* SE-C-03-0271A WE-AO-03-1014

\* WE-AO-03-1014A WE-AO-02-1009

\* WE-AO-04-0761 WE-L-05-0019

\* WE-L-02-0522 WE-L-03-0377

\* WE-L-01-0461 WE-L-05-0199

## SETTLEMENT

The following Settlement is hereby agreed to between Southeastern Louisiana Water & Sewer Co., L.L.C. ("Respondent") and the Department of Environmental Quality ("DEQ" or "the Department"), under authority granted by the Louisiana Environmental Quality Act, La. R.S. 30:2001, et seq. ("the Act").

## I.

Respondent is a corporation that operates numerous private sewage collection and treatment facilities as well as sanitary wastewater treatment facilities located in St. Tammany Parish, State of Louisiana (collectively known as the "Facility" or "Facilities").

## II.

The following facilities were issued a Compliance Order or a Consolidated Compliance Order and Notice of Potential Penalty and are subject to this settlement agreement:

**Westwood Regional Sewage Treatment Plant – AI #: 19917**

On August 6, 2002, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-01-0577, to Respondent, attached herewith as Exhibit A.

**Lazy Creek - AI #: 43285**

On August 26, 2002, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-02-0155, to Respondent, attached herewith as Exhibit B.

**Preferred Equities -- (serves a Commercial Park and future residential subdivision) – AI #: 19919**

On December 19, 2003, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-02-0523, to Respondent, attached herewith as Exhibit C.

**Faubourg-Coquille - AI #: 40850**

On December 19, 2003, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0003, to Respondent, attached herewith as Exhibit D.

**Indian Trace Subdivision – AI #: 43290**

On December 19, 2003, the Department issued a Consolidated Compliance Order and

Notice of Potential Penalty, Enforcement No. WE-CN-03-0110, to Respondent, attached herewith as Exhibit E.

**Timber Branch Subdivision – AI #: 43295**

On December 19, 2003, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0067, to Respondent, attached herewith as Exhibit F. The Department issued a Violations Clear Letter to Respondent on April 13, 2005.

**Global Enforcement Action –**

On December 19, 2003, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0069, to Respondent, attached herewith as Exhibit G, which included the following facilities:

Westwood Regional Sewerage Treatment Plant – AI#: 19917;  
Christwood Retirement Community Sewerage Treatment Plant– AI#: 41028;  
Del Oaks Subdivision Sewerage Treatment Plant– AI#: 19923;  
Lazy Creek Sewerage Treatment Plant; – AI#: 43285  
Lake Hills Sewerage Treatment Plant; – AI#: 19921  
Highway 22 Sewerage Treatment Plant– AI#: 43293

**Abita Lake Subdivision – 88011**

On January 25, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0060, to Respondent, attached herewith as Exhibit H. The Department issued a Violations Clear Letter to Respondent on April 3, 2005.

**Medcath – (serves the Louisiana Heart Hospital) – AI#: 94173**

On January 25, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0380, to Respondent, attached herewith as Exhibit I.

**Three River Heights – AI#: 43292**

On January 25, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0061, to Respondent, attached herewith as Exhibit J. The Department issued a Violations Clear Letter to Respondent on April 13, 2005.

**Quail Creek Wastewater Treatment Facility – AI#: 39941**

On March 5, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-01-0200, to Respondent, attached herewith as Exhibit K.

**Northridge Estates – AI#: 92469**

On March 28, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0376, to Respondent, attached herewith as Exhibit L.

**McConnel Apartments – AI#: 104964**

On March 28, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0379, to Respondent, attached herewith as Exhibit M. The Department issued a Violations Clear Letter to Respondent on April 13, 2005.

**Autumn Wind – AI#: 88008**

On March 30, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0082, to Respondent, attached herewith as Exhibit N. The Department issued a Violations Clear Letter to Respondent on June 9, 2005.

**Tchefuncte Parc - Subdivision – AI#: 43283**

On March 30, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0056, to Respondent, attached herewith as Exhibit O. The Department issued a Violations Clear Letter to Respondent on April 13, 2005.

**Ruelle De Chene Subdivision– AI#: 107269**

On March 30, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0378, to Respondent, attached herewith as Exhibit P. The Department issued a Violations Clear Letter to Respondent on April 13, 2005.

**Fairfield Oaks Subdivision – AI#: 43284**

On April 23, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0029, to Respondent, attached herewith as Exhibit Q.

**Forest Park Apartments – AI#: 38224**

On June 7, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0105, to Respondent, attached herewith as Exhibit R. The Department issued a Violations Clear Letter to Respondent on April 13, 2005.

**Red Oak Sewage Treatment Plant – AI#: 43291**

On June 18, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0106, to Respondent, attached herewith as Exhibit S. The Department issued a Violations Clear Letter to Respondent on April 13, 2005.

**St. Gertrude Sewage Treatment Plant – AI#: 43279**

On June 18, 2004, the Department issued a Consolidated Compliance Order and Notice

of Potential Penalty, Enforcement No. WE-CN-03-0107, to Respondent, attached herewith as Exhibit T. The Department issued a Violations Clear Letter to Respondent on April 13, 2005.

**Madisonville Farms Subdivision – AI#: 43289**

On August 2, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0040, to Respondent, attached herewith as Exhibit U.

**Quail Creek Wastewater Treatment Facility – AI#: 39941**

On November 18, 2004, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-01-0200A, to Respondent, attached herewith as Exhibit V.

**Madisonville Farms Subdivision – AI#: 43289**

On June 15, 2005, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-03-0040A, to Respondent, attached herewith as Exhibit W.

**Quail Creek Wastewater Treatment Facility – AI#: 39941**

On June 30, 2005, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-01-0200B, to Respondent, attached herewith as Exhibit X.

**Medcath – (serves the Louisiana Heart Hospital) - AI#: 94173**

On December 13, 2005, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-05-0096, to Respondent, attached herewith as Exhibit Y.

**Castine Regional Sewerage Treatment Plant - AI#: 122025**

On February 7, 2006, the Department issued a Compliance Order, Enforcement No. WE-C-05-0534, to Respondent, attached herewith as Exhibit Z.

**Preferred Equities – (serves a Commercial Park and future residential subdivision) – AI#: 19919**

On March 1, 2006, the Department issued a Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-05-0119, to Respondent, attached herewith as Exhibit AA.

**Westwood Regional Sewage Treatment Plant - AI#: 19917**

On March 22, 2004, the Department issued a Compliance Order, Enforcement Tracking No. SE-C-03-0271 and subsequently an Amended Compliance Order, Enforcement Tracking No. SE-C-03-0271A on March 31, 2004, to Respondent, attached herewith as Exhibit BB. The Department issued a Violations Clear Letter to Respondent on July 6, 2005.

**III.**

The following facilities were issued Administrative Orders and are also subject to this settlement agreement:

**Dominion STP - AI#: 94232, AO#s: WE-AO-03-1014 and WE-AO-03-1014A**

**Forest Brook STP – AI#: 97283, AO#s: WE-AO-03-1014 and WE-AO-03-1014A**

**Helenbirg STP – AI#: 105813, AO#s: WE-AO-03-1014 and WE-AO-03-1014A**

**Hidden Pines STP – AI#: 91709, AO#: WE-AO-02-1009**

**Highland Oaks STP – AI#: 115889, AO #s: WE-AO-03-1014 and WE-AO-03-1014A**

**Highway 21 STP – AI#: 90859, AO#: WE-AO-04-0761**

**Outpatient Pavilion STP** – AI#: 118794, AO #s: WE-AO-03-1014 and WE-AO-03-1014A

**St. Joe STP** – AI#: 115892, AO #s: WE-AO-03-1014 and WE-AO-03-1014A

**Tallow Creek STP** – AI#: 115894, AO #s: WE-AO-03-1014 and WE-AO-03-1014A

IV.

The following facilities were issued Warning Letters and are also made subject to this settlement agreement:

**Black River STP** – AI#: 43288, Warning Letter #: WE-L-05-0019

**Madisonville Woods STP** – AI#: 40849, Warning Letter #: WE-L-02-0522

**Seymour Meyers STP** – AI#: 91713, Warning Letter #: WE-L-03-0377

**Tanglewood II STP** – AI#: 19918, Warning Letter #s: WE-L-01-0461 and WE-L-05-0199

V.

Inspections conducted by the Department and a subsequent file review conducted on or about May 8, 2007, identified violations at these facilities that are contained in the following tables below, which are owned by Southeastern Louisiana Water & Sewer Company, L.L.C. These violations have not been addressed through formal enforcement proceeding by the Department and will be resolved through this settlement agreement.



Table 1

Facility Name	Agency Interest	Date of Inspection(s)	Violations
Black River	43288	10/1/02	Effluent Limitations exceedance, Records/Reports, Failure to properly Operate & Maintain, Failed to measure flow, failure to submit Non-Compliance Reports.
		7/21/04	Effluent Limitations exceedance, Failure to properly to Operation & Maintain.
Hidden Pines	91709	8/23/04	Effluent Limitations exceedances.
Highway 22	43293	8/24/04	Failure to properly Operate & Maintain.
Madisonville Farms	43289	8/30/06	Failure to properly Operate & Maintain.
Madisonville Woods	40849	4/10/02	Effluent Limitations exceedances,
		10/29/02	Records/Reports.
Seymour Myers	91713	5/20/03	No Permit.
Tanglewood II	19918	6/26/01	Effluent Limitations exceedances,
		9/4/02	Records/Reports, Effluent Limitations exceedance.
		7/27/04	Effluent Limitations exceedance, Failure to properly Operate & Maintain.
Terra Maria	43287	10/10/02	Failed to measure flow, Effluent Limitations exceedance, Failure to properly Operate & Maintain, and Records/Reports.
Woodcrest	38142	10/8/02	Failed to measure flow, Effluent Limitations exceedance, Failure to properly Operate & Maintain, and Records/Reports.
		2/27/07	Failure to properly Operate & Maintain (discharge of solids to the receiving stream).

Table 2

System	AI No.	Quarter/Year	Parameter Exceeded
Black River	43288	3rd Qtr. 2006	Spill = 500 gallons on 7/27/2006
		4th Qtr. 2005	Flow measure freq= only 3/31, not 4/31 on 10/2005
Castine	122025	3rd Qtr. 2006	CBOD=17 mg/L on 7/11/2006
		3rd Qtr. 2006	CBOD=19 mg/L on 7/13/2006
		1st Qtr. 2006	TSS = 40 mg/L on 1/11/2006
		1st Qtr. 2006	TSS = 44 mg/L on 1/18/2006
		1st Qtr. 2006	TSS = 30 mg/L on 1/19/2006
		1st Qtr. 2006	TSS = 28 mg/L monthly avg. for Jan 2006
		1st Qtr. 2006	CBOD = 21 mg/L on 1/11/2006
		1st Qtr. 2006	CBOD = 16 mg/L on 1/18/2006
		1st Qtr. 2006	CBOD = 13 mg/L monthly avg. for Jan 2006
		1st Qtr. 2006	Fecal Coliform = 1,288 col/100 ml on 1/6/2006
Christwood	41028	3rd Qtr. 2006	Bypass 7/5/2006 TSS = 57
		4th Qtr. 2005	Flow Measure freq = only 3/31, not 4/31 on 10/2005
		4th Qtr. 2005	Fecal = 480 c/100ml on 10/2005
		4th Qtr. 2005	BOD = 14 mg/l on 11/2005
		4th Qtr. 2005	TSS = 17 mg/l on 11/2005
Fairfield Oaks	43284	4th Qtr. 2005	BOD = 11mg/l on 12/6/2005
Faubourg	40850	2nd Qtr. 2006	Spill = 5 gallons on 6/1/2006
		1st. Qtr. 2007	Spill = 1500 gallons on 2/21/2007
		1st. Qtr. 2007	Spill = 75 gallons on 3/9/2007
Forest Brook	97283	4th Qtr. 2005	BOD = 11mg/l on 10/20/2005
		4th Qtr. 2005	TSS = 23 mg/l on 11/10/2005
		2nd Qtr. 2004	BOD = 33 mg/l on 4/30/2004
		2nd Qtr. 2004	TSS = 16 mg/l on 4/30/2004
		2nd Qtr. 2004	BOD = 29 mg/l on 5/14/2004
Forest Park	38224	2nd Qtr. 2006	Spill = 200 gallons on 4/24/2006
Fox Branch	89005	4th Qtr. 2005	Flow measure freq = only 3/31, not 4/31 on 10/2005

Helenbirg	105813	1st. Qtr. 2004	BOD = 16 mg/l weekly avg. on 3/7/2004
		1st Qtr. 2004	BOD = 11 mg/l monthly avg. on 3/2004
Highway 22	43293	3rd Qtr. 2006	Spill = 1000 gallons on 9/20/2006
		3rd Qtr. 2006	Spill = 100 gallons on 8/20/2006
		2nd Qtr. 2006	Dissolved Oxygen = 2.5 mg/l on 4/3/2006
		2nd Qtr. 2006	Dissolved oxygen = 1.4 mg/l on 4/20/2006
		1st Qtr. 2006	Spill = 1000 gallons on 3/3/2006
		4th Qtr. 2005	Spill = 300 gallons on 10/20/2005
		4th Qtr. 2005	BOD = 13 mg/l on 10/31/2005
Highway 21	90859	4th Qtr. 2005	NH3 = 13.3 mg/l on 10/18/2005
		3rd Qtr. 2006	Spill = 500 gallons on 8/8/2006
		3rd Qtr. 2006	Spill = 100 gallons on 9/25/2006
		2nd Qtr. 2006	Spill = 100 gallons on 4/24/2006
		1st Qtr. 2006	Spill = 400 gallons on 1/16/2006
Indian Trace	43290	4th Qtr. 2005	Flow measure freq = only 3/31, not 4/31 on 10/2005
		3rd Qtr. 2006	BOD = 12 mg/l on 7/14/2006
Madisonville Farms	43289	1st Qtr. 2007	Spill = 40 gallons on 1/30/2007
		2nd Qtr. 2006	Spill = 500 gallons on 5/29/2006
		1st Qtr. 2006	BOD = 12 mg/l on 1/10/2006
		4th Qtr. 2005	Spill = 100 gallons on 11/26/2005
		4th Qtr. 2005	Flow measure freq = only 3/31, not 4/31 on 10/2005
		2nd Qtr. 2004	BOD = 25 mg/l monthly avg. on 6/2004
		2nd Qtr. 2004	TSS = 18 mg/l monthly avg. on 6/2004
		2nd Qtr. 2004	BOD = 25 mg/l weekly avg. on 6/30/2004
Lazy Creek	43285	3rd Qtr. 2005	Spill = 100 gallons on 7/7/2005
Madisonville Woods	40849	1st Qtr. 2005	Spill = 200 gallons on 2/16/2005
Medcath	94173	2nd Qtr. 2004	BOD = 10 mg/l on 4/8/2004
		2nd Qtr. 2004	BOD = 10 mg/l on 4/15/2004
		1st Qtr. 2004	BOD = 9 mg/l on 2/20/2004
Northridge	92469	1st Qtr. 2006	TSS = 36 mg/l on 3/8/2006

		4th Qtr. 2005	Flow measure freq= only 2/31, not 4/31 on 10/2005
Preferred Equities	19919	2nd Qtr. 2005	Spill = 100 gallons on 4/26/2005
			3/1/2006 NOPP INCLUDED?
Quail Creek	39941	4th Qtr. 2005	Spill = 500 gallons on 10/8/2005
		4th Qtr. 2005	Spill = 200 gallons on 10/8/2005
		4th Qtr. 2005	Spill = 100 gallons on 10/9/2005
		4th Qtr. 2005	BOD = 21 mg/l weekly avg. on 12/7/2005
		4th Qtr. 2005	BOD = 11 mg/l monthly avg. on 12/2005
		4th Qtr. 2005	TSS = 67 mg/l weekly avg. on 11/9/2005
		4th Qtr. 2005	TSS = 18 mg/l monthly avg. on 11/2005
		4th Qtr. 2005	NH3 = 13 mg/l weekly avg. on 10/5/2005
		4th Qtr. 2005	NH3 = 6 monthly avg. on 10/13/2005
		3rd Qtr. 2005	TSS = 30 mg/l weekly avg. on 9/29/2005
		2nd Qtr. 2005	TSS = 27 mg/l weekly avg. on 5/29/2007
		2nd Qtr. 2005	BOD = 17 mg/l weekly avg. on 5/29/2007
		2nd Qtr. 2005	TSS = 24 mg/l weekly avg. on 4/13/2005
		1st Qtr. 2005	Spill = 100 gallons on 2/28/2005
		1st Qtr. 2005	Spill = 1500 gallons on 3/19/2005
		1st Qtr. 2005	NH3 = 14 mg/l weekly avg. on 2/2/2005
		1st Qtr. 2005	NH3 = 13.6 mg/l on 2/2/2005
		1st Qtr. 2005	NH3 = 47 lb/day on 1/2005
		1st Qtr. 2005	NH3 = 15 mg/l monthly avg. on 1/2005
		1st Qtr. 2005	NH3 = 18 mg/l weekly avg. on 1/2005
		1st Qtr. 2005	NH3 = 12.8 mg/l on 1/26/2005
		1st Qtr. 2005	NH3 = 17.5 mg/l on 1/19/2005
		1st Qtr. 2005	NH3 = 10.6 mg/l on 1/11/2005
		1st Qtr. 2005	NH3 = 17.9 mg/l on 1/05/2005
		4th Qtr. 2004	NH3 = 14 mg/l weekly avg. on 12/29/2004
		4th Qtr. 2004	NH3 = 8 mg/l monthly avg. on 12/2004
		4th Qtr. 2004	TSS = 25 mg/l weekly avg. on 10/6/2004
		4th Qtr. 2004	NH3 = 29 lb/day on 12/2004
		3rd Qtr. 2004	NH3 = 13 mg/l weekly avg. on 9/1/2004
		3rd Qtr. 2004	NH3 = 6 mg/l monthly avg. on 9/2004
		3rd Qtr. 2004	NH3 = 17 mg/l weekly avg. on 7/2004
		3rd Qtr. 2004	NH3 = 15 mg/l monthly avg. on 7/2004
		3rd Qtr. 2004	NH3 = 39 lb/day on 7/2004
		3rd Qtr. 2004	NH3 = 12.3 mg/l on 7/7/2004
		3rd Qtr. 2004	NH3 = 14.1 mg/l on 7/14/2004
		3rd Qtr. 2004	NH3 = 14.7 mg/l on 7/21/2004
		3rd Qtr. 2004	NH3 = 17.2 mg/l on 7/28/2004

		2nd Qtr. 2004	TSS = 19 mg/l monthly sample on 6/2004
		2nd Qtr. 2004	TSS = 26 mg/l weekly sample on 6/30/2004
		2nd Qtr. 2004	TSS = 80 lb/day on 6/2004
		2nd Qtr. 2004	NH3 = 27 lb/day on 6/2004
		2nd Qtr. 2004	NH3 = 6 mg/l monthly avg. on 6/2004
		2nd Qtr. 2004	NH3 = 12 mg/l weekly avg. on 6/2/2004
		2nd Qtr. 2004	Spill = 300 gallons on 5/18/2004
		2nd Qtr. 2004	TSS = 16 mg/l on 5/2004
		2nd Qtr. 2004	TSS = 143 lb/day on 4/2004
		2nd Qtr. 2004	TSS = 31 mg/l monthly avg. on 4/2004
		2nd Qtr. 2004	TSS = 46 mg/l weekly avg. on 4/7/2004
		2nd Qtr. 2004	TSS = 46 mg/l weekly avg. on 4/14/2004
		2nd Qtr. 2004	NH3 = 6 mg/l monthly avg on 4/2004
		2nd Qtr. 2004	NH3 = 12 mg/l weekly avg. on 4/14/2004
		2nd Qtr. 2004	BOD = 23 mg/l weekly avg. on 4/7/2004
		2nd Qtr. 2004	BOD = 12 mg/l monthly avg. 4/2004
		2nd Qtr. 2004	BOD = 61 lb/day on 4/2004
		1st. Qtr. 2004	TSS = 17 mg/l monthly avg. on 3/2004
		1st. Qtr. 2004	TSS = 45 mg/l weekly avg. on 3/3/2004
		1st. Qtr. 2004	BOD = 11 mg/l monthly avg. on 3/2004
		1st. Qtr. 2004	BOD = 16 mg/l weekly avg. on 3/17/2004
		1st. Qtr. 2004	TSS = 108 lb/day on 2/2004
		1st. Qtr. 2004	TSS = 25 mg/l monthly avg. on 2/2004
		1st. Qtr. 2004	TSS = 40 mg/l weekly avg. on 2/18/2004
		1st. Qtr. 2004	TSS = 40 mg/l weekly avg. on 2/26/2004
		1st Qtr. 2004	TSS = 26 mg/l monthly avg. on 1/2004
		1st Qtr. 2004	TSS = 36 mg/l weekly avg. on 1/7/2004
		1st Qtr. 2004	TSS = 36 mg/l weekly avg. on 1/14/2004
		1st Qtr. 2004	NH3 = 35 lb/day on 1/2004
		1st Qtr. 2004	NH3 = 14 mg/l monthly avg. on 1/2004
		1st Qtr. 2004	NH3 = 19 mg/l weekly avg. on 1/7/2004
		1st Qtr. 2004	NH3 = 19 mg/l weekly avg. on 1/14/2004
		1st Qtr. 2004	NH3 = 19 mg/l weekly avg. on 1/21/2004
		1st Qtr. 2004	BOD = 14 mg/l monthly avg. on 1/2004
		1st Qtr. 2004	BOD = 21 mg/l weekly avg. on 1/14/2004
Ruelle du Chene	107269	2nd Qtr. 2004	NH3 = 15.1 mg/l weekly avg. on 4/21/2004
		2nd Qtr. 2004	NH3 = 15.1 mg/l monthly avg. on 4/2004
		2nd Qtr. 2004	BOD = 17.0 mg/l weekly avg. on 4/21/2004
		2nd Qtr. 2004	BOD = 17.0 mg/l monthly avg. on 4/2004
		3rd Qtr. 2004	Spill = 100 gallons on 8/12/2004
		4th Qtr. 2005	BOD = 16 mg/l weekly avg. on 10/12/2005

		4th Qtr. 2005	BOD = 13 mg/l monthly avg. on 10/2005
Seymour Meyers	91713	3rd Qtr. 2006	Spill = 100 gallons on 9/8/2006
		4th Qtr. 2005	Flow measure freq= only 3/31 not 4/31 on 10/2005
		2nd Qtr. 2005	TSS = 33 mg/l weekly avg. on 4/5/2005
		3rd Qtr. 2004	Fecal = 920 c/100ml on 8/10/2004
St. Joe	115892	4th Qtr. 2005	BOD = 25 mg/l on 12/7/2005
		4th Qtr. 2005	BOD = 143 mg/l monthly avg. on 10/2005
		4th Qtr. 2005	BOD = 143 mg/l weekly avg. on 10/27/2005
		4th Qtr. 2005	TSS = 30 mg/l monthly avg on 10/2005
		4th Qtr. 2005	TSS = 30 mg/l weekly avg on 10/27/2005
		4th Qtr. 2005	Fecal = 1840 c/100ml weekly avg. on 10/27/2005
		4th Qtr. 2005	Fecal = 1840 c/100ml monthly avg. on 10/2005
		4th Qtr. 2005	Flow measure freq = only 3/31, not 4/31 on 10/2005
		3rd. Qtr. 2004	BOD = 20 mg/l weekly avg. on 7/9/2004
Tallow Creek	115894	3rd Qtr. 2006	BOD and NH3 data missing for month 7/2006
Tanglewood	19918	1st Qtr. 2005	Spill = 150 gallons on 3/4/2005
		3rd Qtr. 2004	Spill = 1500 gallons on 7/1/2004
		2nd Qtr. 2004	Spill = 500 gallons on 5/25/2004
Tchefuncte Parc	43283	2nd Qtr. 2004	BOD = 14 mg/l monthly avg. on 5/2004
Terra Mariae	43287	1st Qtr. 2006	BOD = 16 mg/l weekly avg. on 1/10/2006
Timberbranch	43295	1st Qtr. 2007	Spill = 300 gallons on 2/21/2007
		4th Qtr. 2005	Flow measure freq= only 3/31, not 4/31 on 10/2005
Timberlane	119112	3rd Qtr. 2005	TSS = 30 mg/l weekly avg. on 9/29/2005
		3rd Qtr. 2005	TSS = 54 mg/l monthly avg. on 7/14/2005
Twin Oaks	91147	3rd Qtr. 2006	Spill= 100 gallons on 7/13/2006
		2nd Qtr. 2006	Spill = 700 gallons on 4/6/2006
Westwood	19977	4th Qtr. 2006	Spill = 750 gallons on 10/7/2006
		4th Qtr. 2006	Spill = 500 gallons on 12/31/2006
		2nd Qtr. 2006	Spill = 100 gallons on 4/28/2006

		1st Qtr. 2006	Spill = 100 gallons on 1/16/2006
		1st Qtr. 2006	Spill = 200 gallons on 3/16/2006
		1st Qtr. 2006	Spill = 700 gallons on 3/27/2006
		4th Qtr. 2005	BOD = 15 mg/l weekly avg. on 11/9/2005
		4th Qtr. 2005	BOD = 16 mg/l weekly avg. on 10/20/2005
		1st Qtr. 2005	BOD = 11 mg/l on 2/9/2005
		2nd Qtr. 2004	NH3 = 5.49 mg/l on 6/9/2004
		2nd Qtr. 2004	Spill = 600 gallons on 5/16/2004
		2nd Qtr. 2004	TSS = 19 mg/l on 4/7/2004
		3rd Qtr. 2004	pH = no second sample for 7/2004
		3rd Qtr. 2004	Fecal = no second sample for 7/2004

## VI.

In response to the Consolidated Compliance Order and Notice of Potential Penalty, Enforcement No. WE-CN-01-0577, Respondent made a timely request for a hearing.

## VII.

Respondent denies it committed any violations or that it is liable for any fines, forfeitures and/or penalties.

## VIII.

Nonetheless, Respondent, without making any admission of liability under state or federal statute or regulation, agrees to pay, and the Department agrees to accept, a payment in the amount of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00), of which Twenty-five Thousand and No/100 Dollars (\$25,000.00) represents DEQ's enforcement costs, in settlement of the claims set forth in this agreement. The total amount of money expended by Respondent on cash payments to DEQ as described above, shall be considered a civil penalty for tax purposes, as required by La. R.S. 30:2050.7(E)(1).

## IX.

Respondent further agrees that the Department may consider the inspection report(s), the

Compliance Order, all Consolidated Compliance Orders and Notices of Potential Penalties, and all Administrative Orders listed in the caption of this Settlement Agreement, and this Settlement for the purpose of determining compliance history in connection with any future enforcement or permitting action by the Department against Respondent, and in any such action Respondent shall be estopped from objecting to the above-referenced documents being considered as proving the violations alleged herein for the sole purpose of determining Respondent's compliance history.

X.

This agreement shall be considered a final order of the secretary for all purposes, including, but not limited to, enforcement under La. R.S. 30:2025(G)(2), and Respondent hereby waives any right to administrative or judicial review of the terms of this agreement, except such review as may be required for interpretation of this agreement in any action by the Department to enforce this agreement.

XI.

This settlement is being made in the interest of settling the state's claims and avoiding for both parties the expense and effort involved in litigation or an adjudicatory hearing. In agreeing to the compromise and settlement, the Department considered the factors for issuing civil penalties set forth in LSA- R. S. 30:2025(E) of the Act.

XII.

The Respondent has caused a public notice advertisement to be placed in the official journal of the parish governing authority in St. Tammany Parish, Louisiana. The advertisement, in form, wording, and size approved by the Department, announced the availability of this settlement for public view and comment and the opportunity for a public hearing. Respondent



has submitted a proof-of-publication affidavit to the Department and, as of the date this Settlement is executed on behalf of the Department, more than forty-five (45) days have elapsed since publication of the notice.

### XIII.

A payment of \$20,000.00 is to be made within ten (10) days from notice of the Secretary's signature, then 70 monthly payments of \$1,857.00 each. If payment is not received in accordance with the foregoing schedule, this Agreement is voidable at the option of the Department. Payments are to be made by check, payable to the Department of Environmental Quality, and mailed or delivered to the attention of Accountant Administrator, Financial Services Division, Department of Environmental Quality, Post Office Box 4303, Baton Rouge, Louisiana, 70821-4303. Each payment shall be accompanied by a completed Settlement Payment Form (Exhibit AB).

### XIV.

In consideration of the above, any claims for penalties are hereby compromised and settled in accordance with the terms of this Settlement.

### XV.

Each undersigned representative of the parties certifies that he or she is fully authorized to execute this Settlement Agreement on behalf of his/her respective party, and to legally bind such party to its terms and conditions.

**SOUTHEASTERN LOUISIANA WATER  
& SEWER CO., L.L.C.**

BY: \_\_\_\_\_

(Signature)

Jared C. Becke

(Printed)

TITLE: Chief Executive Officer

THUS DONE AND SIGNED in duplicate original before me this 17<sup>th</sup> day of July, 20 07, at Covington, Louisiana

NOTARY PUBLIC (ID # 25288)

Paul J. Mayronne

(Printed)

**LOUISIANA DEPARTMENT OF  
ENVIRONMENTAL QUALITY**

Mike D. McDaniel, Ph.D., Secretary

BY: \_\_\_\_\_

Harold Leggett, Ph.D., Assistant Secretary  
Office of Environmental Compliance

THUS DONE AND SIGNED in duplicate original before me this 14<sup>th</sup> day of September, 20 07, at Baton Rouge, Louisiana

NOTARY PUBLIC (ID # 20151)

Ted R. Boyle, II

(Printed)

Approved: \_\_\_\_\_

Harold Leggett, Ph.D., Assistant Secretary